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GLENN GOLD, P.A.
SUITE 450
600 NORTH PINE ISLAND RD.
PLANTATION, FL 33324

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OFFICE OF PETITIONS

In re Application of
Singhal et al.
Application No. 09/848,441
Filed: 3 May, 2001
Attorney Docket No. 6020.0100

ON PETITION

~~In re Application of
Singhal et al.
Application No. 09/848,662
Filed: 3 May, 2001
Attorney Docket No. 6020.0200~~

This is a decision on the petition filed on 4 September, 2001, in Application No. 09/848,662, which is being treated as a petition under 37 CFR 1.181 to correct the files of the above-identified applications.

Applicants request that the specification filed in Application No. 09/848,441 on 3 May, 2001, be transferred to the file of Application No. 09/848,662, and that the specification filed in Application No. 09/848,662, on 3 May, 2001, be transferred to the file of Application No. 09/848,441, and that the applications be accorded filing dates of 3 May, 2001, with the specifications as part of the original disclosures.

Applicants' attorney, Glenn E. Gold, explained that the specification and declaration for Application No. 09/848,441 was inadvertently filed with the drawings for Application No. 09/848,662, and that the specification and declaration for Application No. 09/848,662 was inadvertently filed with the drawings for Application No. 09/848,441.

The Office notes that there appears to be no inconsistency between the declaration and specification for each application. The declaration for Application No. 09/848,441 lists the invention title as "Location Aware Service Proxies in a Short-Range Wireless Environment," the same invention title that appears on the first page of the specification for Application No. 09/848,441. Additionally, the application cover sheet itemizes the filing of seven (7) sheets of drawings. Seven (7) sheets of drawings are located in the application file. Likewise, the declaration for Application No. 09/848,662 lists the invention title as "Method and System for Adapting Short-Range Wireless Access Points for Participation in a Coordinated Networked Environment," the same invention title that appears on the first page of the specification for Application No. 09/848,662. Additionally, the application cover sheet itemizes the filing of five (5) sheets of drawings. Five (5) sheets of drawings are located in the application file.

It is noted, however, that the specification filed in Application No. 09/848,441 describes five (5) drawing figures, while seven (7) drawing figures were present on filing. Likewise, the specification filed in Application No. 09/848,662 describes seven (7) drawing figures, while only five (5) drawing figures were present on filing. It is obvious that neither application was individually complete on the date of deposit, i.e., on 3 May, 2001, since the drawing described in the specifications were not received with the respective specifications. However, since the drawings were in fact present in the USPTO on 3 May, 2001, the applications may be accorded filing dates of 3 May, 2001, on petition under 37 CFR 1.182.

The seven (7) sheets of drawings filed on 3 May, 2001, in Application No. 09/848,441 will be removed and transferred to Application No. 09/848,662.

The five (5) sheets of drawings filed on 3 May, 2001, in Application No. 09/848,662 will be removed and transferred to Application No. 09/848,441.

Application No. 09/848,441 will be reprocessed with the five (5) sheets of transferred drawings, containing Figures 1-5 filed on 3 May, 2001.

Application No. 09/848,662 will be reprocessed with the seven (7) sheets of transferred drawings, containing Figures 1-7 filed on 3 May, 2001.

The petition is granted to the extent indicated above.

As this petition was necessitated by applicants' filing error, the petition fee will not be refunded.

Application No. 09/848,441 is being forwarded to the Office of Initial Patent Examination for reprocessing with a filing date of 3 May, 2001, using the five (5) sheets of drawings containing Figures 1-5 filed on 3 May, 2001, and for correction of Office records to indicate that five (5) sheets of drawings were filed on that date. Thereafter, the application file will be forwarded to Technology Center 2600 for examination in due course.

Application No. 09/848,662 is being forwarded to the Office of Initial Patent Examination for reprocessing with a filing date of 3 May, 2001, using the seven (7) sheets of drawings containing Figures 1-7 filed on 3 May, 2001, and for correction of Office records to indicate that seven (7) sheets of drawings were filed on that date. The application will remain in OIPE until pre-examination processing is complete.

Telephone inquiries concerning this matter may be directed to Petitions Attorney Douglas I. Wood, at (703)308-6918.



Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy